# INVESTIGATIVE SUMMARY

## FILE #I.A.B. 005584

The summary of this incident is based upon reports, memos, teletypes, and tape interviews contained in this packet. It also contains information verbally relayed to the Internal Affairs Bureau investigators. This summary is preliminary and does not contain an interview by the Internal Affairs Bureau investigators of the deputies involved in this incident. Their account of this incident was obtained verbally from William Seiber, Lieutenant, Homicide Bureau.

Internal Affairs Bureau investigators Sergeant Ken Fowler, Sergeant Katie Campbell, and Lieutenant Curtis Spears were notified at 1930 hours on June 18, 1993, by the Sheriff's Information Bureau of a deputy involved shooting that occurred at [redacted] Cudahy Street in Walnut Park. The investigators responded and arrived at 2115 hours.

The investigators contacted William Seiber, Lieutenant, Homicide Bureau, who provided a briefing of the incident and a walk through of the crime scene. Accompanying the investigators on this walk through and briefing were Deputy District Attorney Allan Yochelson and District Attorney's Investigator [redacted].

At approximately 1908 hours on June 18, 1993, Firestone Station received a telephone call from an informant reporting that there was a man armed with a gun at the Farm Boys Market, located at 2410 Broadway Street in Huntington Park. The suspect was described as a male Hispanic, 20 years old, wearing a white tank top and blue shorts. He was last seen running northbound on Santa Fe Avenue from the location.

I.A.B. NOTE: The Firestone Station Log incident details sheet confirm the above information (See Exhibit A).

The Internal Affairs Bureau investigators monitored the incoming telephone call reporting this incident. The desk officer handling the call obtained complete information about the suspect's description and location, then kept the informant on the line providing updated information to the field units, until the units arrived on the scene. This incoming call is available at the Internal Affairs Bureau.

Sergeant David P. Cowen, the Firestone Station Field Sergeant, was a short distance from the market when the call was dispatched. Sergeant Cowen and other units patrolled the area north of the market searching for the suspect. Additional information was broadcast that the suspect had returned to the market, so the units began returning to the location.

I.A.B. NOTE: In reviewing the tape recording of the radio traffic on the Firestone Station working frequency, as soon as the initial call was broadcast to the Firestone Station units, the units involved with the call switched to "L-Tac" and coordinated their response. While they were coordinating their response on "L-Tac," the Firestone Station desk provided additional information that the suspect had returned to the location.

When the units arrived in the parking lot, the deputies observed a male Hispanic matching the description of the suspect, running through the parking lot in a southeasterly direction. Sergeant Cowen drove his car into a position to intercept the suspect. The suspect was running from the

other patrol units and did not see Sergeant Cowen. Suddenly, the suspect turned around and ran into the front of Sergeant Cowen's radio car. The suspect pushed off, and as he did so, he bent over with his hands on the outside of his shorts, trying to grab and pull up an object which was inside the front of his shorts. The suspect continued running south through the parking lot and ran to a block wall at the south end of the market parking lot, where he climbed over. Sergeant Cowen and Deputies [redacted], Jack D. Demello, Vance E. Duffy, and Thomas P. Reid ran to the wall, moved laterally at least ten feet from where the suspect climbed over and looked over. They then climbed over the wall and continued pursuing the suspect.

Once the suspect climbed over the wall, he ran in a southeasterly direction through the rear yard at [redacted] to the east side yard. The suspect continued running south through the east side yard, climbed over a three foot wooden fence at the south end of that side yard and ran south across Cudahy Street. The suspect then ran south on the driveway of [redacted] ran between a car parked in the driveway and the front porch of the location (See Diagram, Exhibit B and Photo, Exhibit C), past a witness, [redacted] who was seated on the front porch. The suspect ran south on the driveway, and upon arriving at the garage at the south end of the driveway, he turned right and ran through an open gate into the rear yard at the location (See Photos, Exhibit D and E). Once in the rear yard, he began climbing onto the roof of a [redacted] located at the [redacted] See Photos, Exhibit F). As he got onto the roof, the suspect moved into a kneeling position, turned and pointed the gun at the deputies, at which time Deputy Duffy opened fire with three rounds from his Department issued shotgun, Deputy [redacted] fired two rounds from his Beretta, Deputy Reid fired two rounds from his Beretta and Deputy Demello fired four rounds from his Beretta, striking the suspect numerous times, causing him to collapse on the roof, where he subsequently died (See Photos, Exhibit F). Deputies approached the suspect, searched him, and found a handgun under his body. Sergeant Cowen arrived after the shots were fired.

[redacted] said she saw the suspect running south on her driveway, while holding a small handgun with both hands near his chest area. She also saw several deputies a short distance behind, chasing the suspect. As the suspect and the deputies passed her porch, she entered the house and walked into the kitchen located at the south end of the location. She was concerned for the safety of her [redacted] who she felt was in the rear yard, so she began calling for her. She glanced out a kitchen window and saw the the deputies in the rear yard looking up and yelling, "Freeze," "Stop," and "Drop it." Then she heard several shots fired.

Ms [redacted] told the Internal Affairs Bureau investigators substantially the same as related above but added that when she entered the kitchen, she glanced through the south window and saw the suspect on the roof of the [redacted] but she could not see what he was doing. She began calling for her [redacted] because she was concerned for her safety and welfare. That is when she saw the deputies in the rear yard and heard them ordering the suspect to stop and to freeze. Suddenly she heard several shots fired, so she laid down on the floor. When she got up she saw the suspect lying on the roof of the [redacted] (See Photos, Exhibit F).

[redacted] the [redacted] of Ms [redacted] was in the garage located at the south end of the driveway at [redacted] with her fourteen year old [redacted], when she and her [redacted] saw the suspect running south on their driveway toward them, holding a handgun with both hands near his chest area. They saw several deputies following the suspect a short distance behind. The suspect ran to the garage, then made a right turn and ran into the rear yard through an open gate, while the deputies followed. She stated that once the deputies ran into her rear yard, she followed and looked around the corner. She observed the deputies standing adjacent to the

sofa which is close to the west wall of the garage. She noticed they appeared to be crouching down and shouting at the suspect to "Freeze" and to "Stop." She retreated from the backyard, at which time she heard shots fired.

[redacted] said he is the [redacted] of Witness [redacted] He said he was standing in the garage, located at the south end of the driveway at the location, with his back to the street. He said he was standing in the doorway to the garage and that the doors leading to the single car garage were open. He heard the sound of someone running on the driveway and when he turned around, he saw the suspect running south, toward him, holding a small handgun, that he described as an autoloader, with both hands near his chest. The suspect ran to the garage, and then ran to the west through an open gate, into the rear yard. He said the deputies were twenty to twenty-five feet behind, chasing the suspect. He said he heard at least one of the deputies yell to the suspect to stop. When the deputies arrived at the garage, they also ran through the open gate into the rear yard. He said that one of the four deputies stopped and peeked around the corner prior to running into the rear yard. Once the deputies were in the rear yard, he heard them yelling to the suspect to stop and to freeze. Then he heard several shots fired, but he did not see who was shooting.

I.A.B. NOTE: According to the report written by Deputy Doke, he responded to the location of the shooting and, upon entering the rear yard, he observed the suspect lying face down on the roof the [redacted] See Reports, Exhibit G). He said Deputy Duffy climbed onto the roof and removed a semi-automatic pistol from the suspect's right hand.

Sergeant Cowen said that once he arrived in the front yard, the suspect and deputies were not in sight. He said there were some people on the street who were looking in the general direction of [redacted] when he heard shots fired from the rear of the location. He responded to the rear yard and observed the suspect on the [redacted] roof with several gunshot wounds to the body. Paramedics were requested and responded to the location, where they examined the suspect, however, he was already dead.

The investigators noted that the rear yard of the location is approximately twenty feet square that is [redacted] See Photos, Exhibits E and F). The west wall of the garage borders the east side of the yard, there is an approximately [redacted] on the west side of the yard, the house borders the north side of the yard and a [redacted] the south side of the yard. The suspect's body was lying face down on the northwest corner of the [redacted] roof, with his head to the south and his feet to the north. His legs were hanging off the north edge of the roof. There was a small caliber handgun and a loaded magazine a short distance away from the suspect's body (See Photos, Exhibit F). Directly below the suspect, on the ground, was a series of red plastic bins, that the suspect apparently used as a ladder to climb onto the roof. The only access to this yard was through the gate in which the suspect entered.

There is no available cover inside the rear yard and only limited concealment (See Photos, Exhibits E and F). The only area that could be used as cover was the northwest corner of the garage, in the gate area which accesses this yard. The only available concealment was the sofa, which was located near the east side of the yard, and some plastic trash cans located near the north side of the yard. Both of these items of concealment would be of limited value based upon the height of the suspect's position.

Mr. [redacted]'s statement indicates that at least one of the deputies in the foot pursuit did not blindly run around the corner into the rear yard, but hesitated and looked first.

Based upon the statement by Ms. [redacted], it appears that once the deputies arrived in the yard and realized there was no cover and limited concealment, they apparently all crouched down to lessen the size of the target they presented to the suspect.

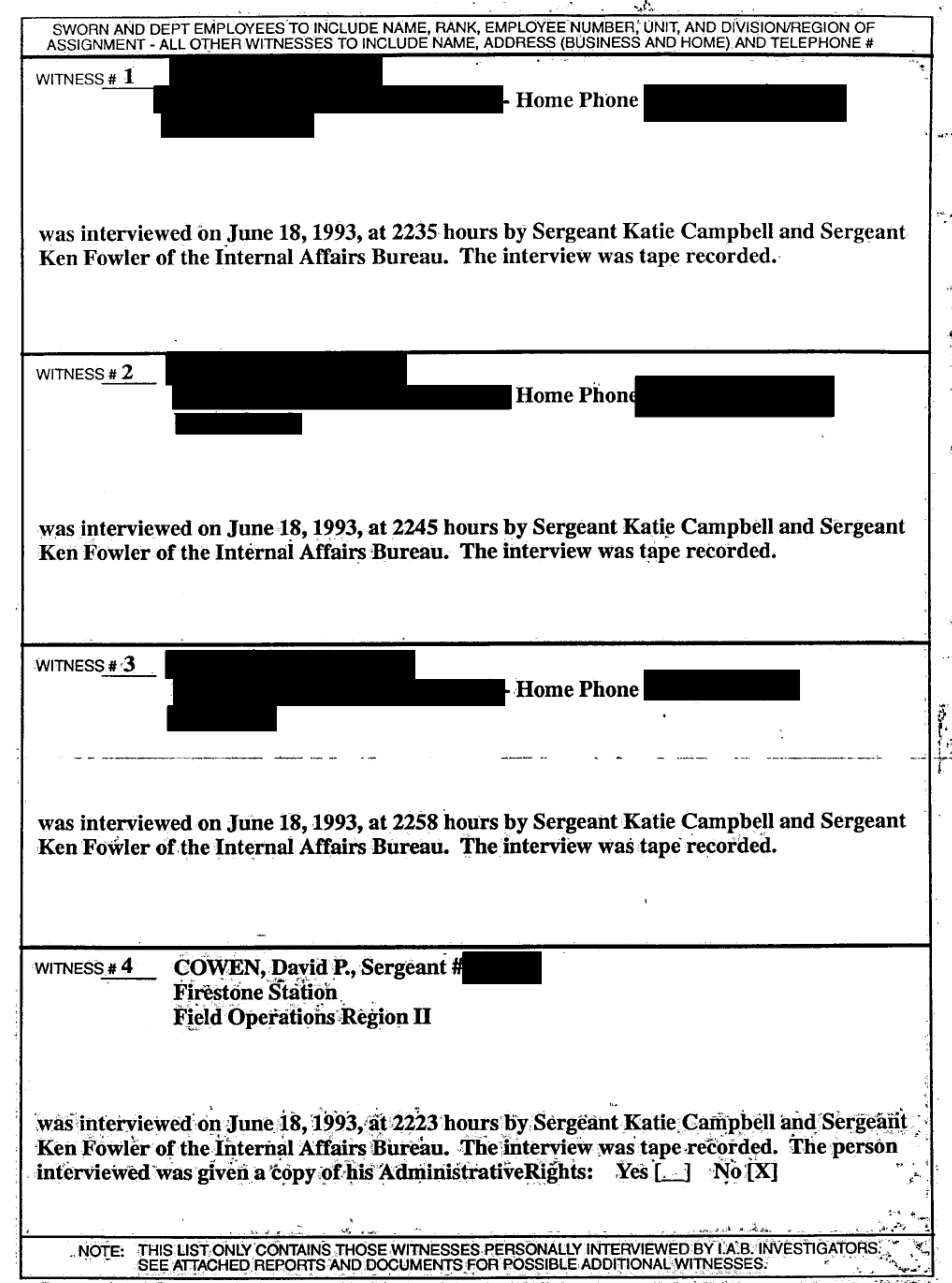
Deputy Jose Garcia told the Internal Affairs Bureau investigators that he and his ride-along observer remained with the radio car at the market parking lot while his partner, Deputy [redacted], exited and chased the suspect on foot. Once Garcia saw the foot pursuit begin, he drove the radio car south on Santa Fe Avenue and stopped at Cudahy Street, saw the foot pursuit continuing southbound, so he drove to the next street south, Santa Ana Street, to set up a containment. He arrived at the corner of Santa Fe Avenue and Santa Ana Street waiting to see if the suspect continued running south, when he suddenly heard shots fired. He remained at that location until after he heard the radio broadcast of a deputy involved shooting wih the suspect down. He then left the position of containment and responded to the location.

The Internal Affairs Bureau investigators learned from Lieutenant Spears that during the crime scene investigation, a young male was interviewed on a local television news program. This male related that the deputies chased down and shot the suspect, who was not armed. The investigators learned from Lieutenant Seiber of Homicide Bureau that District Attorney Investigator [redacted] had possibly located and interviewed this witness.

On June 22, 1993, at approximately 1135 hours, Sergeant Fowler contacted Mr. [redacted]. Mr. [redacted] said that on the evening of the shooting, he and Deputy District Attorney Allan Yochelson, were walking from the scene of the shooting to the market where the incident began. As they were walking down the street, he heard a male Hispanic say that the police killed another unarmed young man in the neighborhood. When Mr. Yochelson attempted to interview this individual and obtain his name, the man refused to provide any information or his identity. Mr. [redacted] stated that this man was very drunk and was drinking beer from a six pack that he apparently just obtained.

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On June 19, 1993, an autopsy was conducted on the suspect. All the rounds struck him on the left side of his body and traversed from left to right.



# LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

## WITNESS LIST

SWORN AND DEPT EMPLOYEES TO INCLUDE NAME, RANK, EMPLOYEE NUMBER, UNIT, AND DIVISION/REGION OF ASSIGNMENT - ALL OTHER WITNESSES TO INCLUDE NAME, ADDRESS (BUSINESS AND HOME) AND TELEPHONE #

WITNESS # 1 [redacted] - **Home Phone** [redacted]

**was interviewed on June 18, 1993, at 2235 hours by Sergeant Katie Campbell and Sergeant Ken Fowler of the Internal Affairs Bureau. The interview was tape recorded.**

WITNESS # 2 [redacted] **Home Phone** [redacted]

**was interviewed on June 18, 1993, at 2245 hours by Sergeant Katie Campbell and Sergeant Ken Fowler of the Internal Affairs Bureau. The interview was tape recorded.**

WITNESS # 3 [redacted] - **Home Phone** [redacted]

**was interviewed on June 18, 1993, at 2258 hours by Sergeant Katie Campbell and Sergeant Ken Fowler of the Internal Affairs Bureau. The interview was tape recorded.**

WITNESS # 4 **COWEN, David P., Sergeant #** [redacted]
**Firestone Station**
**Field Operations Region II**

**was interviewed on June 18, 1993, at 2223 hours by Sergeant Katie Campbell and Sergeant Ken Fowler of the Internal Affairs Bureau. The interview was tape recorded. The person interviewed was given a copy of his AdministrativeRights: Yes [__] No [X]**

NOTE: THIS LIST ONLY CONTAINS THOSE WITNESSES PERSONALLY INTERVIEWED BY I.A.B. INVESTIGATORS. SEE ATTACHED REPORTS AND DOCUMENTS FOR POSSIBLE ADDITIONAL WITNESSES.

# LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

## WITNESS LIST

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WITNESS # 5 **GARCIA, Jose J., Deputy #[redacted]**
**Firestone Station**
**Field Operations Region II**

**was interviewed on June 18, 1993, at 2230 hours by Sergeant Ken Fowler of the Internal Affairs Bureau. The interview was not tape recorded. The person interviewed was given a copy of his AdministrativeRights: Yes [__] No [X]**

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WITNESS # ____

**was interviewed on ________________ at ________ hours by ______________________ of the Internal Affairs Bureau. The interview was (was not) tape recorded. The person interviewed was given a copy of his/herAdministrativeRights: Yes [__] No [__]**

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WITNESS # ____

**was interviewed on ________________ at ________ hours by ______________________ of the Internal Affairs Bureau. The interview was (was not) tape recorded. The person interviewed was given a copy of his/herAdministrativeRights: Yes [__] No [__]**

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WITNESS # ____

**was interviewed on ________________ at ________ hours by ______________________ of the Internal Affairs Bureau. The interview was (was not) tape recorded. The person interviewed was given a copy of his/herAdministrativeRights: Yes [__] No [__]**

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